

CASE NO.: 50P4426
Serial No.: 09/839,000
September 26, 2005
Page 6

PATENT
Filed: April 21, 2001

Remarks

Reconsideration of the above-captioned application is respectfully requested. Claims 1, 3, 4, 6-12, 15-20, and 22 have been rejected under 35 U.S.C. §102 as being anticipated by Nobakht et al., USPN 6,745,223, and Claims 5, 13, 14, and 21 have been rejected under 35 U.S.C. §103 as being unpatentable over Nobakht et al. in view of Norsworthy et al., USPN 6,144,402. Now-canceled Claim 2 had been rejected for an antecedent basis discrepancy and for being obvious over Nobakht et al. in view of Greer et al., USPN 5,978,828.

Claim 1 now recites the limitation formerly set forth in Claim 2, which has been canceled. Independent Claim 7 recites that a consumer profile is used to tailor virtual channels as disclosed on page of the specification, last paragraph. Also, independent Claim 15 recites that the identity of the virtual channels is established based at least in part on user profile information received from a user. Claims 1 and 3-21 remain pending.

Rejections Under 35 U.S.C. §102

Claims 1, 3, 4, 6-12, 15-20, and 22 have been rejected under 35 U.S.C. §102 as being anticipated by Nobakht et al., which nowhere teaches the limitation of former Claim 2 as admitted by the examiner, and which does not tailor virtual channels to a consumer profile (Claim 7) or establish the identities of its virtual channels based on user profile information (Claim 15). Instead, user validity is tested for access to a virtual channel table but the table itself, and the channels therein, are not established in accordance with user profile. The user either has access to a preselected table of virtual channels or he doesn't. Since none of the applied references appear to teach or suggest the features of Claims 7 and 15, the rejections are overcome.

1168-13.AM2

CASE NO.: 50P4426
Serial No.: 09/839,000
September 26, 2005
Page 7

PATENT
Filed: April 21, 2001

Rejections Under 35 U.S.C. §103

Claims 5, 13, 14, and 21 have been rejected under 35 U.S.C. §103 as being unpatentable over Nobakht et al. in view of Norsworthy et al., and former Claim 2 had been rejected based on Nobakht et al. in view of Greer et al. It is this latter rejection that is of relevance to amended Claim 1.

Greer et al. does not download only changed portions of web pages. Instead, it generates an alert when a web changed beyond a threshold, but the entire page is downloaded, col. 3, lines 18-19. There appears to be no suggestion in Greer et al. that only the changed portions of the page be downloaded. Accordingly, the rejection of Claim 1 is overcome.

The fact that Applicant has focussed its comments distinguishing the present claims from the applied references and countering certain rejections must not be construed as acquiescence in other portions of rejections not specifically addressed.

The Examiner is cordially invited to telephone the undersigned at (619) 338-8075 for any reason which would advance the instant application to allowance.

Respectfully submitted,



John L. Rogitz
Registration No. 33,549
Attorney of Record
750 B Street; Suite 3120
San Diego, CA 92101
Telephone: (619) 338-8075

JLR:jg

1168-13.AM2